

AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings include changes to FIG. 1. This sheet replaces the original sheet including Fig.1. FIG. 1 is labeled as “PRIOR ART.”

Applicant respectfully traverses the objection to FIG. 2. An Applicant identifies what he considers to be his invention in the claims, not in the specification and drawings, which are merely used to help explain the invention, and may include discussion or illustration of steps and/or structure that include a mixture of the old and the new. A determination of whether any particular illustration or description is prior art under 35 U.S.C. § 102 is a legal conclusion, and an Applicant need not, and usually cannot, make and announce that determination for every drawing figure.

While an Applicant may, by marking a drawing “PRIOR ART” and the like, indicate what he knows or believes to be conventional or known in the art, there is no requirement for an Applicant to identify or ascertain positively whether figures are “prior art” unless he knows for certain that those figures cannot be illustrative of anything that is not prior art as defined under 35 U.S.C. § 102. The Office Action has not pointed to any evidence that shows that FIG 2 is prior art under 35 U.S.C. § 102. Therefore this objection to FIG. 2 is respectfully traversed.

Attachments: Replacement Sheet
Annotated Sheet Showing Changes